

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | Jeffrey A. Hall et al. | Examiner: | Alex Toy |
| Serial No.: | 10/698,026 | Group Art Unit: | 3739 |
| Filed: | October 30, 2003 | Docket: | 279.401US1 |
| Customer No. | 45458 | Confirmation No.: | 7128 |
| Title: | ENERGY DELIVERY OPTIMIZATION FOR RF DUTY CYCLE FOR LESION CREATION | | |

**NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with 37 C.F.R. § 41.31(a)(1), Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated February 9, 2009 of the Examiner rejecting claims 16-22 of the above-identified patent application.

A request for an extension of time to respond to the Examiner's rejection is submitted herewith along with payment of the required extension fee.

Please charge the amount of \$540.00 in payment of the Notice of Appeal fee under 37 C.F.R. § 41.20(b)(1), as well as any additional required fees, to Deposit Account No. 19-0743.

Respectfully submitted,

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Date August 10, 2009

By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of August, 2009.

Kate Gannon

/ Kate Gannon /

Name

Signature